

REMARKS/ARGUMENTS

Claims 1-26 are pending. As discussed with Examiner Ibrahim, the claims have been revised to incorporate the limitations of Claims 4, 5, 9, 10, 25 and 26, which were indicated as being allowable and now specify that the cytokine related gene is a  $\beta$ -glucuronidase gene or CKI1 gene. These genes are described, for example, on page 11, lines 17 and 20, respectively, of the specification. Other editorial revisions have been made to improve the clarity of the claims. Accordingly, the Applicants do not believe that any new matter has been added. Entry of this amendment and allowance of this application is now respectfully requested.

INFORMATION DISCLOSURE STATEMENTS

The Applicants respectfully request that the Examiner confirm receipt and acknowledge the information disclosure statements (IDS's) filed May 8, 2001 and March 15, 2002. Copies of signed and initialed Forms 1449 for these two IDS's have not been received by the Applicants.

Rejection—35 U.S.C. §112, first paragraph

Claims 1-3, 6-8 and 11-24 were rejected under 35 U.S.C. 112, first paragraph, as lacking adequate enablement. While disagreeing that the full scope of these claims is not enabled, to expedite prosecution, the Applicants have now incorporated the limitations of Claims 4, 5, 9, 10, 25 and 26, which were indicated as being allowable into these claims. Accordingly, this rejection is now moot.

Allowable Subject Matter

The Applicants thank Examiner Ibrahim for indicating that the subject matter of Claims 4-5, 9-10 and 25-26 is otherwise in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

  
\_\_\_\_\_  
Thomas M. Cunningham  
Registration No. 45,394

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)

NFO/TMC/law